

Position Paper

The universal recognition of the rights of young people

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Executive summary

Young people between 15 and 35 form one-third of the world's population.¹ Yet when it comes to the rights of young people, it is often not immediately clear as to what these rights are, and what it means for a young person to transition from the human rights afforded under the UN Convention on the Rights of the Child² up until the point they turn 18, before then entering adulthood.

In looking more closely at this transition period and how young people experience their rights, this paper argues for the need for stronger legal provisions to be put in place that globally recognises and protects the rights of young people. This includes through:

- **increased mainstreaming** of youth rights across international human rights mechanisms and the establishment of **meaningful youth participation processes** in youth relevant fields;
- the establishment of a **UN Special Procedure mandate on Youth Rights** to obtain evidence of the state of youth rights around the world and assess the extent in which the current legal framework protects young people's rights; and,
- the adoption of a legally binding **UN Convention on the Rights of Young People** and an accompanying monitoring mechanism to solidify the universality and common standards of young people's rights.

This paper reflects the position of the European Youth Forum and our members across Europe. In recognising our privileges as an organised and democratic platform, we acknowledge that the extent of human rights for young people vary and diverge from country-to-country: from those living in, or are displaced by, multidimensional poverty, conflict, violence, persecution, human rights violations, or natural or ecological disasters; those whose rights and freedoms are oppressed by authoritarian regimes, undemocratic or illiberal democratic systems; and those who do not have any legal status or recognition in society. For this reason, we seek to

go beyond the European human rights framework, such as the European Convention of Human Rights and the EU Charter of Fundamental Rights, and are looking towards a universal human rights standard for all young people.

An invitation to all young people and youth organisations around the world

The youth rights discussed in this paper and outlined in [Section III. What rights are we talking about?](#) are meant to be a conversation starter in order to detail a much broader vision: in which we are seeking a common understanding on how young people can play an active role in shaping the world they live in, and in which their environment promotes their rights on a day-to-day basis. In working with other young people and youth organisations across the world, we wish to capture the diversity of rights and experiences that are at the core of a young person's life. Young people's rights must be universally recognised, respected and accounted for under international human rights law. We hope that this paper can contribute to that.

1 As per UN statistics that list young people aged 15-35 years of age. This percentage is expected to remain as such leading into 2030. See: UN Population Division Data Portal - Population by 1 year age groups and sex (available at <https://population.un.org/dataportal/home>).

2 UN Commission on Human Rights (46th sess., 1990, Geneva), *Convention on the Rights of the Child*, E/CN.4/RES/1990/74, UN Commission on Human Rights, 7 March 1990.

Introduction

Human rights are inherent to all human beings, irrespective of their background or status. This is no different for young people. Currently, one-third of the world's population is between the ages of 15-35.³ The world's youth population is increasing, with Africa having the youngest population in the world with 1.4 billion (60%) being under the age of 25.⁴

Yet when it comes to recognising, respecting and protecting young people's rights, understanding what their rights are is less clear. Young people as a specific group experience intersectional discrimination and exclusion. Oftentimes, this is linked to a young person's age (for example, where a young person earns less than older colleagues), but it may also be linked with other aspects such as a young ethnic minority who experiences racism at the time that they are a young person.

Additional provisions thus need to be in place to ensure young people are supported during their transition from childhood to adulthood, from the rights provided under the UN Convention on the Rights of the Child (CRC), to the rights enjoyed after turning 18 and entering adulthood.

Using a rights-based approach, we want to understand what additional protections or support mechanisms are required for young people to be able to comfortably enjoy and exercise their rights between these periods before and after 18, where they can make choices for themselves, and live an autonomous, equitable and safe life. Ultimately, we are looking towards a young person's transition towards adulthood and living as active and informed rights-holders. In essence, we are looking at how young people can be fully valued in society, and how structural inequalities and injustices can be uprooted and eliminated.

We recognise however that this is rife with challenges: from a marred economic system that contributes to today's severe wealth inequalities, debt burdens, crippled basic services and ecological

deterioration; to societies, cultures and economies either recovering from, or enduring, the impacts of (neo)colonialism, war or displacement; to our systems, structures, institutions and communities that are entrenched in patriarchy, racism and ableism.

It is imperative to upend this discourse and drive it in a way where policies and laws cherish people and the planet. This must include young people, their human rights and their wellbeing.

About this paper

Due to the absence of any legal framework specifically protecting youth rights at the European or global level, it is difficult to understand the correlation between persisting inequalities affecting young people, and the extent to which international human rights law is currently protecting young people's rights. Limited literature is available with regards to youth rights, with the work of the late William A. Angel's 1996 research on "The International Law of Youth Rights", and the 2015 second revised edition by Jorge Cardona, Giuseppe Porcaro, Jaako Weuro and Girogio Zecca, steering this research.

Building from this, and in light of the 75th anniversary of the Universal Declaration for Human Rights, which lays out the foundations of human rights, this position paper seeks to explore how young people's rights can be fully accounted for. In the first section, we look at the barriers preventing the full enjoyment of youth rights. In the second section, we explore different pathways to better ensure the legal recognition of youth rights in both soft and hard law. We look at the need to strengthen mainstreaming and youth participation, and the broader need for stronger legal mechanisms that account for young people's rights. Specifically, we look at the need for strengthened youth mainstreaming, the establishment of a new **UN Special Procedure mandate** to build an evidence base of youth rights practices, and subsequently, explore the introduction of a **UN Convention on the Rights of Young People**⁵ that sets a global legal standard for young people's rights and holds Member States to account. In

3 As per UN statistics that list young people aged 15-35 years of age. This percentage is expected to remain as such leading into 2030. See: UN Population Division Data Portal - Population by 1 year age groups and sex (available at <https://population.un.org/dataportal/home>).

4 Chido Mpemba, Chido Munyati, *How Africa's youth will drive global growth*, World Economic Forum, 16 August 2023.

5 See OHCHR, *Human Rights 75 Youth Declaration*, December 2023, page 7, which calls for 'an international legally binding instrument on youth rights'.

the [third section](#), we look at specific youth rights that a new legal mechanism could concretely protect. In the [final section](#), we present a roadmap to ensure the universal recognition of young people's rights, with recommendations to make this a reality.

This paper was developed with the **Youth Forum's Interest Group on Youth Rights between 2022-2023**, building on the work of the **former Expert Group on Youth Rights during 2020-2021**, and with inputs received across our membership of **over 100 youth organisations across Europe**. To facilitate our research, we conducted a mapping of the 10 main international human rights treaties, as well as regional conventions including the EU Charter for Fundamental Rights, the European Convention on Human Rights, the Iberoamerican Convention on Rights of Youth, and the African Youth Charter, in order to gauge: i) what rights currently exist that are linked to young people's human rights, ii) what are the gaps to enjoying these rights, iii) what rights need further elaboration, iv) what instruments protect these rights, and v) what rights are missing more broadly.

I. Barriers preventing the full enjoyment of youth rights

In shouldering the brunt of the current economic and ecological crises, shrinking civic spaces, a rise in authoritarianism, and the inequalities worsened through them, young people want an assured future where they can claim their rights and reclaim their trust in democratic institutions. As such, preconditions must be in place, including through the implementation of laws and policies that will create a safe and enabling environment to live a decent life.

This section identifies three key challenges preventing young people's rights from being fully enjoyed and lived. As part of the mapping work conducted in analysing international and regional human rights conventions, we note that young people's rights are currently scattered across numerous human rights treaty bodies, thereby making their full realisation and implementation difficult to ascertain at the international, regional, national and local level.

The CRC ambitiously recognises and protects the human rights of children and adolescents under the age of 18. Its achievements have contributed to global policies that now consider the best interests of the child, how to ensure their empowerment and agency, and how to put in place participatory mechanisms in policy- and decision-making processes. When it comes to young people's rights, some issues persist and other nuances require further elaboration.

I.I. Youth as a transition period

Firstly, there is a lack of a common understanding of who young people are and what their experiences are as they transition into adulthood. Oftentimes, young people's rights are conflated with children's rights, with a general lack of understanding of the barriers faced during this transition period, and discrepancies in defining the age bracket of 'youth' or 'young people'.

Across Europe, there is no legal framework specific to young people's rights. When it comes to defining youth, we note that the European Union (EU) and the Council of Europe (CoE) refer to young people as between 15-29 years of age, particularly for

statistical purposes. In some cases when it comes to EU data by different institutions or agencies, youth is examined as those under the age of 25 when it comes to unemployment statistics,⁶ between 16-34 with regards to studies of inequalities and discrimination,⁷ or between 16-35 when looking into living and working conditions.⁸ Under some specific EU funding instruments, programmes can be applied to young people between the age of 13-30,⁹ or those under the age of 30.¹⁰

In other regions of the world, and where there are legal frameworks in place, we note that the Iberoamerican Convention on Youth Rights defines youth as being 15-24 years of age,¹¹ while the African Youth Charter defines youth from 15-35.¹² In international agencies such as the UN, as well as the OECD, statistics generally define young people from 15-24.¹³ This inconsistency applied at all levels reflects the wider gaps in policies and laws attributed to young people's rights, and a deeper lack of coherency as to who young people as a cohort.

To ensure that young people's rights are not unintentionally excluded as a result of their age, we note the approach taken by the Committee on the Rights of the Child in defining adolescence in *General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, which states:

"The Committee recognizes that adolescence is not easily defined, and that individual children reach maturity at different ages. (...) The process

*of transitioning from childhood to adulthood is influenced by context and environment, as reflected in the wide variation in cultural expectations of adolescents in national legislations, which afford different thresholds for entry into adult activities, and across international bodies, which employ a variety of age ranges to define adolescence. The present general comment does not seek, therefore, to define adolescence, but instead focuses on the period of childhood from 10 years until the 18th birthday to facilitate consistency in data collection."*¹⁴

Drawing on this, we take a similar approach to defining young people as a group. In application, we look towards the rights afforded to a young person 18 years and under as per the CRC and other international human rights law, and what it means to 'transition' into adulthood upon turning 18.

We therefore seek to:

- emphasise this 'transition' period rather than insist on a definition of youth, to understand what rights need further attention upon turning 18.¹⁵

Given that the establishment of additional legal frameworks will at some point require a definition of youth, we would therefore:

- align this definition with other regional conventions and the Youth Forum's own definition of youth,¹⁶ by defining youth as up until, and including, 35 years of age.

6 See Eurostat, *Unemployment statistics*, December 2023.

7 See European Union for Fundamental Rights Agency, *Young Jewish Europeans: perceptions and experiences of antisemitism*, 2019.

8 See Eurofound, *Eurofound launches Europe-wide survey on living and working conditions*, April 2023.

9 *Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 Establishing Erasmus+: The Union Programme For Education And Training, Youth And Sport And Repealing Regulation (EU) No 1288/2013*, 2021, Official Journal of the European Union L 189/1, Article 2(6).

10 *Council Recommendation of 30 October 2020 on A Bridge to Jobs – Reinforcing the Youth Guarantee and replacing the Council Recommendation of 22 April 2013 on establishing a Youth Guarantee 2020/C 372/01*, 2020, Official Journal of the European Union C 372/1, Article 1.

11 *Ibero-American Convention on Young People's Rights*, 10-11 October 2005, Article 1.

12 *African Youth Charter*, 2 July 2006, as per the Charter's 'Definitions'.

13 United Nations, *Youth*; OECD, *Youth employment and social policies*.

14 Committee on the Rights of the Child, *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, CRC/C/GC/20, 6 December 2016, paragraph 5.

15 For example, how readily can a young person who turns 18 continue to exercise their right to education, their right to a fair wage, or their right to social security.

16 European Youth Forum, *European Youth Forum AIBSL - Statutes*, adopted at the extraordinary general assembly, 15 March 2023, Article 11.3, which states: "The Official Delegate(s) cannot be older than thirty-five (35) years of age at the moment of the General Assembly or the Council of Members."

I.II. Barriers in accountability

The second issue when it comes to barriers is having youth rights being overlooked in laws, policies and accountability mechanisms. As noted by the Committee on the Rights of the Child, the rights of adolescents are “...widely compromised because State parties do not recognize or invest in the measures needed for them to enjoy their rights.”¹⁷ We are similarly seeing this for young people, including those over 18. Young people’s legitimacy is often questioned for being ‘too young’ when it comes to voting, or in instances where young people are paid ‘youth minimum wages’ that are based on a young person’s age, despite the equal level of responsibility performed as their peers. For those over 18, young people face barriers to accessing common and basic services such as access to social security, where they are not ‘old enough’ and do not meet the age criteria to access such services.¹⁸

Inconsistencies in understanding youth rights also has implications on young people themselves, who may not know what their rights are, and who then face obstacles when it comes to access to justice when violations of their rights take place. Youth-led organisations play a crucial role here in supporting young people in seeking access to individual complaints mechanisms and providing human rights education when this is not formally available, but also advocating for systemic change at local, national or international level. Yet, given the financial and human restrictions many youth-led organisations face, it is difficult for them to access these mechanisms themselves, further exacerbating the barriers.

When seeking to access UN human rights mechanisms, including the Treaty Bodies, the Universal Periodic Review (UPR) process, or through Special Procedure mandates, we note that only 1% of the recommendations made across these processes are youth-related.¹⁹ This limited attention underscores a significant gap in the UN’s political agenda and by UN Member States when it comes to under-

standing the unique challenges young people face in terms of discrimination and inequalities, and also suggests barriers for young people and youth-led organisations to be able to access meaningful participation spaces to advocate for young people’s rights. Consequently, young people’s rights persist in being overlooked across all domains.

Furthermore, with the absence of a dedicated youth rights mechanism to access, in application this means that additional pressures are placed on youth-led organisations to navigate their country’s human rights review cycles, or to monitor over 193 UN Member States’ review processes to advocate for systemic change and enhance mainstreaming efforts.

I.III. Complexities in turning 18 under the law

The third issue is how laws work in practice for a young person once they turn 18 and the challenges brought about as part of this transition period to adulthood. Legally speaking, turning 18 changes a young person’s status from a child to an adult, similarly transitioning them beyond the rights granted from the UN CRC. While international human rights law is applicable to all, we see several examples where additional measures need to be in place to better facilitate young people’s transition during this period of youth, before and after turning 18.

I.III.I. Young people in the criminal justice system

For young people under 18 who are initially processed through juvenile justice systems (i.e. they were convicted as an adolescent), if their prison sentencing continues into turning 18, they can then be moved into an adult prison. This includes being moved into harsher conditions, where they have even less agency, face a heightened risk of harassment, violence and discrimination, while also having a lack

17 Committee on the Rights of the Child, *General comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, CRC/C/GC/20, 6 December 2016, paragraph 3.

18 As an example, in the Netherlands, young people can receive support from the State but the amount varies a lot depending on their age: in 2020, people over 21 years-old (without children) would receive 1,052 euros, compared to 260 euros for young people under 21 years of age. In France, minimum income (RSA) is available to anyone over 25 years old - it is only accessible for people under 24 years old if they are parents or can attest they worked for at least 2 years (internships not included). See: European Youth Forum, *European Youth Forum’s proposals for the Council Recommendation on Minimum Income*, 2022.

19 European Youth Forum, *Mainstreaming youth rights in the UN human rights mechanisms*, 2022.

of awareness of their rights as adults and a lack of access to justice and counselling during this period. Furthermore, young people coming out of the juvenile justice system and continuing to transition into adulthood face further challenges oftentimes linked to stigmatisation, not having completed secondary education during their sentencing, as well as a lack of access to critical social and health services. In considering how to navigate juvenile justice systems, a youth justice perspective must be used, which draws on a rights-based approach and places a young person's dignity at the centre, moving beyond stringent punitive approaches and increasing age limits in youth justice systems.

I.III.II. Young migrants

For young asylum seekers, unaccompanied minors, young undocumented migrants, or stateless youth, turning 18 suddenly has crippling consequences that are difficult to prepare for. This for example is due to being held in immigration detention, where they are experiencing existing traumas, or are faced with the complexities of being in community detention or living in the community, where there are huge integration challenges and uncertainties in all facets of their life.

For those either born in a country of Europe, a young person simply may not know that their residency or immigration status has changed upon turning 18, having previously been treated as a dependent family member for example. For young migrants who were born in a European country where they are unable to obtain the nationality of their place of birth, that young person has a limited period of time to apply for citizenship (which can also be attached with financial burdens as part of the application process), or otherwise face the risk of being deported to the country their parent(s) or guardian(s) sought asylum from.²⁰

For an unaccompanied minor or stateless young person turning 18, their status then changes to

becoming an undocumented or stateless adult, which bears a sudden risk of being detained and/or deported, and facing legal and administrative responsibilities in which they are required to try and 'regularise' their residency or immigration status. This creates huge challenges, noting that in 2019 for example, only one-third of EU Member States provided channels for unaccompanied minors to regularise their status after they turned 18.²¹ Oftentimes this process requires huge financial costs as part of completing administrative processes, and thus places them at a heightened risk of exploitation and/or bearing additional debts, further worsening their mental health state as well.

In all of these circumstances there is often limited, or a lack of, availability of assistance and support to inform them of their rights. This includes losing their access to formal education, having to navigate international protection procedures alone, being transferred to adult reception or detention facilities where heightened risks of gender-based violence take place, facing risks of deportation, becoming homeless upon needing to leave a reception facility, or having difficulties accessing employment.²²

I.III.III. Young people in formal alternative care settings

It is estimated that 1.5 million children live in alternative care settings across Council of Europe Member States.²³ Young people from alternative care settings are one of the most socially excluded groups across Europe, and face greater challenges to their education, health, employment, mental health and social functioning compared to the wider population.²⁴ When it comes to young people who turn 18 and are required to leave formal alternative care settings, they face abrupt changes to their circumstances as a result of this legal status change and thus lack the support to transition into adulthood where they can comfortably exercise and enjoy their rights. This includes for example barriers to accessing employment, education, housing and healthcare services.

20 Francesca Spinelli, *Meet David: born in France, raised in Belgium, facing removal to the DRC*, The Guardian, 5 August 2020; Giacomo Zandonini, *'I just don't exist': the Italian chef Italy will not recognise*, The Guardian, 4 August 2020.

21 Platform for International Cooperation on Undocumented Migrants, *Turning 18 and Undocumented: Supporting Children in their Transition to Adulthood*, 2022, pages 15-16, 40-42.

22 Platform for International Cooperation on Undocumented Migrants, *Turning 18 and Undocumented: Supporting Children in their Transition to Adulthood*, 2022, pages 15-16.

23 Council of Europe, *Alternative Care*.

24 SOS Children's Village, *Be the Change! Leave No Care Leaver Behind!*, 2019.

Unaccompanied minors transitioning out of alternative care face additional challenges in accessing and enjoying their rights in a foreign country. For young people with disabilities, turning 18 can mean transitioning from an institution designated for children with disabilities to an institution for adults with disabilities, and no longer having access to tailored, ongoing care or support.²⁵

I.III.IV. Young people and mandatory military service

Conscientious objection to military service “derives from principles and reasons of conscience, including profound convictions, arising from religious, moral, ethical, humanitarian or similar motives.”²⁶ Despite international²⁷ and regional recognition²⁸ of the right to conscientious objection to military service, young people seeking to exercise this right continue to face violations, due to a non-recognition of the right, or a failure to fully implement it.²⁹ In Europe, conscription - in which the minimum age is set to 18³⁰ - is still enforced in 19 states: Armenia, Austria, Azerbaijan, Belarus, Cyprus, Denmark, Estonia, Finland, Georgia (reintroduced in 2017), Greece, Latvia (reintroduced in 2023), Lithuania (reintroduced in 2015), Moldova, Norway, Russia, Sweden (reintroduced in 2018), Switzerland, Türkiye, and Ukraine (reintroduced in 2014). While the uptake of alternative civilian service is possible in some of these countries, this varies in practice. Furthermore, while the right to conscientious objection to military service is recognised under international human rights law, across the region of Europe, conscientious objectors face prosecution, arrests, trials by military courts, imprisonments, fines, intimidation, attacks, death threats, and discrimination.³¹ Consequently, young conscientious objectors may try to seek political

asylum, thereby uprooting and destabilising their situation in adulthood further.

I.IV. Looking ahead

The application and enjoyment of youth rights cannot be based on assumed knowledge alone; its universality must be experienced on a day-to-day basis where States can draw on human rights law to ensure that the necessary conditions are in place for all young people to enjoy the highest standard of life, including as part of transitioning from the rights provided under the CRC. For this reason, we are therefore convinced that additional legal provisions are required to support this, notably through increased youth mainstreaming and youth participation processes, introducing a UN Special Procedure mandate, and considering the adoption of a UN Convention on the Rights of Young People.

25 European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Lerch, V., Nordenmark Severinsson, A., *Feasibility study for a child guarantee – Target group discussion paper on children in alternative care*, 2020, page 35.

26 Commission on Human Rights, *Conscientious Objection to Military Service* - Commission on Human Rights resolution 1998/77, E/CN.4/RES/1998/77, 22 April 1998.

27 Human Rights Committee, *General Comment Adopted by the Human Rights Committee Under Article 40 of the International Covenant on Civil and Political Rights, General comment No.22 (48) (art.18)*, CCPR/C/21/Rev.1/Add.4, 27 September 1993.

28 Council of Europe Parliamentary Assembly, *Exercise of the right of conscientious objection to military service in Council of Europe member states*, Recommendation 1518, 2001.

29 See European Youth Forum, *Resolution on the right to conscientious objection to military service in Europe*, 2018.

30 With the exception of Cyprus in which the conscription age is 18, but under the legislative definition, all men become liable for conscription at the age of 17. See: European Bureau for Conscientious Objection, *Annual Report on conscientious objection to military service in Europe 2022/23*, 2023, page 112.

31 European Bureau for Conscientious Objection, *Annual Report on conscientious objection to military service in Europe 2022/23*, 2023, page 4.

II. Opportunities to guarantee the full enjoyment of youth rights

In recognising the barriers faced when it comes to young people's rights from being fully realised, this section outlines the opportunities for increased mechanisms that can facilitate in young people's rights, looking towards changes that can be taken in the medium to long-term to ensure this.

II.I. Youth rights mainstreaming

Given that youth rights are only accounted for in 1% of the UN's human rights processes,³² we know that more work is needed to mainstream youth rights not only in this space, but across the UN's three pillars (development, peace and security, and human rights). **Increasing youth rights mainstreaming across the UN's pillars ensures that young people's rights are consistently understood and accounted for.** This contributes to establishing a common global standard and understanding of youth rights, ultimately solidifying the application of a rights-based approach in all processes and normalising the language of youth rights. To achieve this, greater harmonisation and coordination is thus required across adopted outcomes and initiatives across UN structures - from the UN General Assembly, the Third Committee, the Security Council, the High-Level Political Forum, to the Human Rights Council - so that recommendations linked to young people complement each other. Further coordination should also be facilitated between UN agencies, notably the newly established UN Youth Office and the Office of the UN High Commissioner for Human Rights, with the support of youth organisations, to support mainstreaming efforts.

II.II. Building evidence of youth rights

To contribute to mainstreaming efforts, **greater evidence and data is required to detail the extent of how young people can exercise their rights, and the barriers that prevent them from doing so.** The establishment of a UN Special Procedure mandate (i.e. an Independent Expert, a Special

Rapporteur, or a Working Group) would contribute to building such an evidence-base that systematically interprets how international human rights law currently does or does not protect young people's rights, and indicates what requires further elaboration or implementation. In looking at thematic issues linked to youth rights, and through country visits and consultations with civil society, the recommendations received would contribute to mainstreaming youth rights efforts and the ongoing process of raising awareness of, and normalising, youth rights, but also assessing other means that may be required to fill in gaps in understanding and upholding youth rights.

II.III. Legal and universal recognition of youth rights

Our ambition for young people is to have their human rights universally understood, recognised and exercised to their fullest. Mainstreaming efforts, including through additional mechanisms such as a UN Special Procedure, would contribute to strengthened understanding of youth rights. To ensure its universality, youth rights should be codified in international law, such as through a UN Convention on the Rights of Young People, in order to prevent them from being overlooked. Establishing a legal mechanism would present a standalone instrument that not only complements the work of the CRC, but also clearly accounts for specific barriers that young people face as they transition towards being rights-holders in adulthood, and any further barriers in early adulthood. Furthermore, it will provide a consistent legal foundation to support mainstreaming efforts, help shape policies to specifically close inequality gaps, and contribute to ensuring the universality of young people's rights.

Looking towards best practice examples and envisioning the potential achievements of a UN Convention on the Rights of Young People, we draw inspiration from the disability movement and their achievements brought from the UN Convention on the Rights of Persons with Disabilities (CRPD). Not only is this the first international human rights instrument in which a regional entity such as the EU has ratified, it has also hugely contributed to mainstreaming a disability perspective throughout all

32 European Youth Forum, *Mainstreaming youth rights in the UN human rights mechanisms*, 2022.

EU laws and policies, with there now being a legal basis to draw on. Recognising these changes to EU law-making, we look towards taking on a similar approach to ensure the realisation and enjoyment of youth rights around the world.

II.IV. Reinforcing accountability and strengthening access to (youth) justice

As part of monitoring such a UN Convention's implementation into national law, **it would establish an accountability mechanism via a Committee on the Rights of Young People** that would be made up of independent experts and would regularly review the state of play of youth rights in State Parties. Not only would this contribute to holding countries to account for their human rights situation, the continuing provision of recommendations would establish a common global standard when it comes to youth rights, making it difficult for Member States who are not State Parties to the Convention to derogate from.

Establishing such a Committee and expertise together would also open up new opportunities to broaden the understanding of youth rights within international human rights law. When it comes to General Comments for example, this includes the possibility to work with other human rights Committees, such as with the Committee on the Rights of the Child, or jointly with the Committee on Civil and Political Rights and the Committee on Economic, Social and Cultural Rights, to elaborate on the nuances faced as part of transitioning from childhood to adulthood, or between children and young people's rights.

More holistically, the establishment of such a Committee would mean that regional entities could also be reviewed, as seen with the EU and its ratification of the CRPD. This would also contribute to strengthening mainstreaming efforts, in which regional entities such as the EU or Council of Europe could set common guidelines as to how to better guarantee the rights of their young populations. It will also provide a more systematic approach to upholding youth rights and removing systemic rights violations, whereby young people jointly have

the mechanisms in place to support them during their transition to being rights-holders and can access individual complaints mechanisms if needed.

II.V. Establishing meaningful participatory mechanisms

As supported by the UN Secretary-General's Common Agenda and the work of the former UN Youth Envoy, as well as via the recent publication of the Human Rights 75 Youth Declaration,³³ young people's meaningful participation is one of the cornerstones to promoting young people's role as active citizens. This means they have ownership of shaping policies and laws that affect them, and can contribute to political debates. The establishment of a UN Convention on the Rights of Young People would complement this by legally recognising the right to meaningful youth participation. Having been established under the CRC via the right to be heard³⁴ and thus the need to establish 'participation' as a process linked to shaping policies, ensuring meaningful youth participation is the natural progression of this. Legally recognising this right would contribute to structurally establishing meaningful participation mechanisms to new policy initiatives, as well as UN processes, where young people and youth organisations can be meaningfully consulted.

33 OHCHR, *Human Rights 75 Youth Declaration*, December 2023.

34 Committee on the Rights of the Child, *General Comment No. 12 (2009) on the right of the child to be heard*, Committee on the Rights of the Child, CRC/C/GC/12, 1 July 2009.

III. What rights are we talking about?

In recognising the challenges faced by young people as they transition to being full rights-holders from childhood to adulthood, this section proposes the rights of young people requiring further elaboration and protection, and which could be enshrined in a UN Convention. We first look the definition of youth rights, followed by youth rights linked to civil and political rights (i.e. right to life, meaningful youth participation, right to health, right to freedom of expression and association), before then elaborating on rights linked to economic, social and cultural rights (i.e. right to education, work and a decent living).

Definition

Right to recognition as a person before the law

Young people between the ages of 15-35 years of age make up one-third of the world's population. It is imperative that they are universally recognised as a group with unique experiences as they transition from adolescence (with the rights enshrined under the UN Convention on the Rights of the Child), to then turning 18, and transitioning towards the rights in adulthood. In order to strengthen the international human rights framework, the right to legal recognition would encompass two dimensions of a young person, with the following definitions:

- 'Youth' is the period a young person transitions from childhood to adulthood, from the rights of the UN Convention of the Rights of the Child, to the rights outside of this upon turning 18, and to which they transition to adulthood and should be able to fully enjoy and exercise their rights as independent, active rights-holders; and,
- 'Youth' should be defined as up until, and including, 35 years of age, to align with existing regional and international mechanisms,³⁵ and

different cultural contexts to which young people face different barriers to their civil, political, economic, social or cultural rights.

Civil and political rights

Right to meaningful youth participation

Young people and youth organisations are underrepresented in all phases of policy-making. They lack the spaces and structures to meaningfully contribute to the development, implementation, follow-up and evaluation of policies and programmes, leading to decisions that do not reflect their realities.

There is a gap between young people and traditional institutions of democracy, particularly those on the margins of society such as those living in poverty or social exclusion. In order to actively participate in society and shape their present and future life, young people and organised youth reflected through youth organisations should have:

- access to meaningful participatory spaces linked to policy- and decision-making spaces, at all levels, and that are relevant to a young person's life.

Right to vote and right to be elected

Young people's trust in public institutions and their perception of having political influence and representation in decision-making has stagnated.³⁶ While 25% of the EU's population are between the ages of 18 and 35, the number was barely above 5% in the 2019 European Parliament elections.³⁷ Globally, 76% of those under 30 years old think that politicians do not listen to young people, with numbers as high as 80% in Spain and the UK.³⁸

Given that young people are at the face of many social movements, young people aged 16 are now already participating in society, making life-changing decisions, and understanding the sense of responsibility. More than two-thirds (69%) of

35 The African Youth Charter defines youth up until the age of 35, as does the [European Youth Forum's own statutes](#).

36 Only 45% of young people across OECD countries expressed trust in their government in 2019-2020. See: OECD, *Governance for Youth, Trust and Intergenerational Justice: Fit for All Generations?*, OECD Public Governance Reviews, OECD Publishing, Paris, 2020.

37 European Youth Forum, *There are as many Martins in the European Parliament as MEPs under 30*, Brussels, September 2022.

38 The Body Shop & United Nations Office of the Secretary-General's Envoy on Youth, *Be Seen Be Heard: Understanding young people's political participation*, 2022.

people think that political systems would be better if there were more opportunities for young people to have their say. We have heard that young people in Europe believe that voting in elections is the most effective action for making young people's voice heard by decision-makers. Given that the average age of Members of Parliament worldwide is 50, more young voices need to be in politics. This right should therefore consider:

- lowering the voting age to 16 in all elections;³⁹
- aligning the age limits for the right to vote and right to stand for public elections.

Right to freedom of peaceful assembly and association

Civil society organisations, including youth organisations, perform a number of functions that are necessary in promoting and safeguarding basic human rights and democracy. An open civil society is one of the most important safeguards against tyranny, oppression, and other anti-democratic tendencies. Yet, civil society organisations face serious obstacles in their work, including experiencing or fearing retribution from their governments when expressing their views. Youth civil society is especially vulnerable to these types of pressures due to, among other reasons, the high turnover of engaged people, day-to-day functioning based greatly on volunteer work, and the lack of proper funding.

As two fundamental freedoms related to civic space, freedom of assembly and association are a bedrock for strong democracies and ultimately the full enjoyment of youth rights. Young people showcase a diverse range of engagement in this area: from online and offline informal communities, to hybrid mass movements and registered youth organisations, young people constantly seek to actively practise these rights.

However, young people regularly experience difficulties in organising or participating in public assem-

blies or do not feel certain that their organisation of, or participation in, such assemblies will not result in some form of retribution. Youth organisations have also reported experiencing governmental interference in their operations. In severe cases, young human rights defenders and young political prisoners are deprived of their fundamental rights in prisons and penal colonies; for example in Belarus, as of 1 November 2023, there were 591 political prisoners under the age of 35 detained for peaceful activism.⁴⁰ Furthermore, often existing public funding for youth organisations is provided only through project-based or short-term schemes to youth organisations, failing to create opportunities that are tailored to the realities and scope of youth civil society.⁴¹

This right should therefore consider:

- respecting the self-autonomy and independent organising of young people by recognising the structures they build themselves as legitimate actors;
- safeguarding the rights and freedoms of those participating in political and civic activities, and to be free from threats to their safety, violence, or undemocratic laws that threaten these spaces;
- underlining the conditions for registering and running civil society organisations, including youth organisations, without any unnecessary burden or fear of retribution;
- fostering democratic processes in a youth-inclusive way, including through the meaningful participation of young people by involving democratic, representative, youth-led and independent youth organisations;

Right to freedom of opinion and expression

Freedom of expression is a cornerstone of social and political freedoms and fundamental rights;

39 Voting at 16 is already a reality in: Austria, Malta (all elections), Germany (some Laender for local elections, all Länder for EU elections), Belgium (EU elections), Estonia (local elections) Scotland, Wales, one Canton in Switzerland (local elections). In Greece, people can vote at 17. In 2022, both Germany and Belgium lowered the voting age to 16 for the European Parliament elections, showing that more and more countries are recognising that this is the right thing to do. Outside of Europe, voting at 16 is also a reality in Argentina, Brazil, Cuba, Ecuador, and Nicaragua.

40 See [Belarusian national youth council RADA](#).

41 European Youth Forum, *Safeguarding Civic Space for Young People in Europe*, May 2022.

the degree to which young people enjoy this right is a reflection of an enabling environment for youth organisations. To successfully safeguard civic spaces, all people must be able to express themselves freely in public, including when criticising governmental policies and actions, as well as holding government actors to account without fear of repercussions. However, young people are often faced with restrictive, inadequate or violent government sources,⁴² unwanted surveillance and retribution and an overload of disinformation in society. Worryingly, research shows that the extent to which young people enjoy their right to the freedom of expression has decreased over the last years.⁴³

Moreover, the widespread use of social media creates an environment that also poses threats to the practice of civic and political rights. Spreading disinformation about any issue or any person has never been easier and the use of algorithms developed by commercial actors often keep young people in echo-chambers. This creates a tension between different groups of society, leading to a brutalisation of public debate and political polarisation.

This right should therefore consider:

- promoting freedom of information, expression and media freedom, while safeguarding the rights of young journalists and activists;
- holding governments at all levels to account where freedom of media or expression is threatened or repressed;
- creating and further enforcing policies addressing discriminatory actions and hate speech online and offline.

Rights of persons belonging to national or ethnic, religious or linguistic minorities

Young people from marginalised groups face intersecting and compounding forms of discrimination, including through forms of systemic racism and gender-based violence, which remain deeply entrenched across Europe.

Young people of African descent face the highest rate of discrimination over a 12 month period (43%), particularly when accessing housing, experiencing racist harassment or violence.⁴⁴

Four out of five Jewish youth report that antisemitism is a growing problem in their country, 90% of whom found this to be the most problematic online, and 41% of whom have considered leaving Europe for not feeling safe.⁴⁵

In a survey conducted in 2017 across the EU, Muslim youth were found to be more likely to be stopped by the police than those older, with 36% aged 16-24 years, and 35% aged 25-34 years.⁴⁶ Muslim women disproportionately face islamophobic hate crime, hate speech, and violence, especially when wearing a headscarf.⁴⁷

Between 2015-2018, 1.5 million young people under the age of 34 received international protection in the EU (80% of the total number).⁴⁸ They faced heightened risks of harassment and violence during reception stages, and inadequate social security, integration and health support. Indigenous youth including Sámi youth, and young religious minorities, are segregated from society, with their culture, language and/or religion often being suppressed, and when accessing their right to education, social security, housing and property.

42 See Council of Europe, *Demonstrations in France: freedoms of expression and assembly must be protected against all forms of violence*, 24 March 2023.

43 European Youth Forum & Social Progress Imperative, *Youth Progress and Civic Space*, October 2023

44 European Union Agency for Fundamental Rights, *Being Black in the EU - Experiences of people of African Descent*, Vienna, 2023.

45 European Union Agency for Fundamental Rights, *Young Jewish Europeans: perceptions and experiences of antisemitism*, Vienna, 2019, page 34.

46 European Union Fundamental Rights Agency, *Second European Union Minorities and Discrimination Survey - Main results*, Vienna, 2017, page 54.

47 European Network Against Racism, *Forgotten Women: The impact of Islamophobia on Muslim Women*, 2016.

48 European Union Agency for Fundamental Rights, *Integration of young refugees in the EU: good practices and challenges*, Vienna, 2019.

This right should therefore consider:

- the official recognition and adequate representation of minority groups in all their diversity;
- promoting education and adequate information about minority groups and their history;
- ensuring the right for one to enjoy their own culture, to profess and practise their own religion, and to use their own language in all spaces (including sign language);
- protection against intersecting forms of discrimination in all areas of life.

Right to life

Within the broad scope of the right to life, and the interlinkages between other rights such as the right to health, or the right to an adequate standard of living, we specifically refer to the continued use of capital punishment in Europe, whereby Belarus is the one country remaining in Europe to officially still use the death penalty, while Russia has a moratorium on executions still in place.⁴⁹ Given the situation in Belarus and the attacks against young human rights defenders and young political prisoners, as well as the war in Ukraine, we are deeply concerned about the violation to young people's right to life. This right should therefore consider:

- upholding the right to life, including the removal of the death penalty.

Right to liberty and security

Young people held in institutional settings such as juvenile/adult criminal justice systems or immigration detention, face a deprivation of liberty and thus compounded challenges to maintaining their rights and safety. This is further worsened upon turning 18, in which they can often be transferred to an adult facility, where they are exposed to heightened risks

of violence, and are oftentimes unaware of their adult rights. It is important to consider a youth justice approach in these settings by:

- extending the rights afforded to a young person after they turn 18, ensuring additional provisions to uphold their rights, safety and knowledge of their adult rights are in place.⁵⁰

Right to conscientious objection, including military service

Given that conscription upon turning 18 remains in place in 19 countries across Europe, with countries neither respecting the right to conscientious objection, or where young people are persecuted for using this right, this right should consider:

- the right to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion.

Right to the highest attainable standard of physical and mental health

Young people face many barriers to accessing the right to health. In 2022, 49% of young people across the EU reported unmet needs for mental health care, a rate more than double that of the general adult population (23%).⁵¹ Since the pandemic, significant increases in suicidal ideation have also been observed among young people across the EU.⁵² For Roma and Travellers, the largest minority group in Europe, their life expectancy is 10 years lower than the general population.⁵³ Additional barriers to access health and support include stigmatisation (often linked with mental health support) and lack of affordability.

The right to health also includes sexual and reproductive health and rights (SRHR).⁵⁴ Young women's and LGBTQIA+ youth's access to SRHR are facing a severe backlash across Europe, with gross impediments to their rights and liberties, and increases

49 European Parliament, *Death penalty: key facts about the situation in Europe and the rest of the world*, 2020.

50 United Nations General Assembly, *United Nations Rules for the Protection of Juveniles Deprived of their Liberty*, General Assembly resolution 45/113, 14 December 1990

51 OECD, *Health at a Glance 2021: OECD Indicators*, OECD Publishing, Paris, 2021.

52 OECD & European Union, *Health at a Glance: Europe 2022: State of Health in the EU Cycle*, OECD Publishing, Paris, 2022.

53 European Union Agency for Fundamental Rights, *Roma and Travellers in Six Countries: Roma and Travellers Survey*, Vienna, 2020.

54 Committee on Economic, Social and Cultural Rights, *General comment No. 22 (2016) on the right to sexual and reproductive health (article 12 of the International Covenant on Economic, Social and Cultural Rights)*, E/C.12/GC/22, 2 May 2016.

in gender-based violence and hate crimes. Young women and non-binary people with disabilities continue to face the practice of forced sterilisation, often at the decision of their caregiver. LGBTQIA+ youth have a heightened risk of undergoing so-called 'conversion therapy' due to the lack of legal authority to make medical or mental health decisions, and with an estimated 2% (although most likely higher) of LGBTQIA+ youth having undergone this already in the EU.⁵⁵

This right should therefore encompass:

- the right to freedom from gender-based violence, including non-therapeutic or forced sterilisation, any form of so-called 'conversion therapy', and female genital mutilation;
- the right to comprehensive sexuality education, contraception, and abortion;
- the right to legal gender recognition;
- the right to free, equitable, timely and quality mental health care and treatment;
- the right to freedom from abuse, harassment, hate speech and violence in online and offline spaces;
- the correlations between mental wellbeing in all dimensions of life (i.e. precarious work, lack of access to education etc.).

Right to a safe, clean, healthy and sustainable environment

Linked to the right to life is the recently recognised right to a safe, clean, healthy and sustainable environment.⁵⁶ The implications of the current ecological crisis plays a central part in shaping young people's present and future, and further links should be made between how this right can be fulfilled for young people. This right should therefore consider:

- the interlinkages with the right to health and the right to an adequate standard of living, especially for vulnerable communities;
- the new dimensions brought by the right to a safe, clean, healthy and sustainable environment;
- by extension, the right to clean air, clean water and adequate sanitation, healthy and sustainable food, a safe climate, and healthy biodiversity and ecosystems;
- tackling access to legal recourse due to economic barriers and a lack of judicial expertise in environmental matters.

Right to a safe and healthy online environment

With regards to digitalisation and its permeation in day-to-day life, young people must be able to safely enjoy their digital environment. Through the online space, young people have almost unlimited access to a world of information, media, entertainment, education, activism, and socialising, which requires additional provisions to ensure they can navigate these spaces from an informed point of view.⁵⁷ This includes being safe from illegal or harmful content, which can be an incitement to commit a crime, or exposes them to violence, sexual exploitation, hate speech, bullying and harassment. Alongside navigating the online space, we recognise how the digital divide also impacts young people when it comes to access to information technologies, access to information, and access to digital skills. It is essential to consider how digital rights can shape a young person's life.

This right should therefore consider:

- the interlinkages with a young person's right to health, notably their mental health and wellbeing;
- empowering young people to safely and informatively navigate online spaces;

⁵⁵ David De Groot, European Parliament, *Bans on Conversion "Therapies" – The Situation in Selected Member States*, European Parliament Research Service, PE 733.521, 7 June 2022; and Human Rights Council, *Practices of so-called "conversion therapy" - Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, A/HRC/44/53, 1 May 2020, which states: "Globally, an estimated 4 out of 5 subjected to this were 24 years or younger". See also: Outright International, *The Global Reach of So-Called Conversion Therapy*, 1 September 2019.

⁵⁶ UN General Assembly, *The human right to a safe, clean, healthy and sustainable environment*, *Human Rights Council*, A/HRC/RES/48/13, 18 October 2021.

⁵⁷ European Youth Forum, *Making digitalisation work for people*, 2022.

- ensuring quicker, more efficient and accessible ways to report illegal content and facilitate access to justice;
- promoting social inclusion through greater access to digital technologies;
- the links between promoting access to digital tools and digital skills to advance the right to education, the right to work and the right to health.

Right to privacy

Young people's right to privacy must be considered in both offline and online contexts, given the intersections with the current digital age. Young people continue to see their privacy impacted by excessive data collection, behaviour surveillance, and malicious spyware techniques used in the online world. Some of these aspects are inherent in the business models of tech companies, while some are practised by states. In an age of rising authoritarianism, governments are placing increased restrictions on the civic space available for citizens to enjoy their rights online. Such considerations linking youth rights with digital rights should therefore consider:

- promoting youth-friendly privacy information and language accessibility;
- how much personal information young people are required to share in order to access a service or opportunity.

Economic, social and cultural rights

Right to quality and continued education

Education is a human right and all young people are entitled to a quality education. It is one of the cornerstones to fulfilling the ambitions of the UN Sustainable Development Goals. Yet young people face numerous challenges, including when it comes to accessing quality education, and discrimination continues to contribute to early school leavers.

In education settings, school segregation is rife, leading to one in five young people with disabilities being early school-leavers due to barriers to accessing mainstream education and training.⁵⁸ Two-thirds of young Roma and Travellers have only completed lower secondary education.⁵⁹ Young people of African descent are three times more likely than the general population in not continuing education or training after completing lower secondary education.⁶⁰ Young people in unstable environments, such as those living in conflict, migration or juvenile justice settings, face additional barriers to completing their education, and are at greater risk of being without any qualification upon re-entering society. More broadly, there is a general lack of human rights education provided across Europe, increasing the gap in a young person's understanding of what their rights are.

For this reason, it is important to recognise the role youth organisations play in educating young people in ways that are not found in formal education settings. Non-formal education promotes various forms of civic engagement, contributes to openness, understanding, intercultural learning and social cohesion, and facilitates young people's empowerment and confidence. The fulfilment of the right to quality and ongoing education is often a precondition to obtaining quality employment, and is one of the precursors for a decent standard of living.

This right should therefore consider:

- extending the right to education, notably secondary education, to be applicable beyond the age of 18;
- the right to accessible (or free) higher education and vocational training;
- the right to informal and non-formal education and recognising the role of youth organisations in providing this;
- the right to lifelong and life-wide learning;
- the right to comprehensive sexuality education;

58 Council of the European Union, *Infographic - Disability in the EU: facts and figures*, last reviewed 24 January 2024.

59 European Union Agency for Fundamental Rights, *Roma and Travellers in Six Countries: Roma and Travellers Survey*, Vienna, 2020.

60 European Union Agency for Fundamental Rights, *Being Black in the EU - Experiences of people of African Descent*, Vienna, 2023.

- the right to human rights education;
- the right to citizenship education (digital, global and sustainability).

Right to quality working conditions and social security

Social inclusion is about society ensuring the realisation of young people's economic and social rights. This includes the right to education and professional training, the right to decent work, the right to social protection, protection of and assistance to the family, the right to decent housing, to mental and physical health (including at the workplace), and an adequate standard of living.

Many of these rights are under threat, with young people disproportionately affected by unemployment, precarious work and poverty. This undermines young people's ability to participate fully in society. Meanwhile, global megatrends (globalisation, climate change, demographic changes, and technological advancements) are affecting the world of work and bringing new challenges to young people's access to quality employment.

In the EU, when it comes to youth unemployment rates for those under 25 years of age, 14 EU Member States have rates above the EU average (14%), with rates between 20%-28% in Estonia, Slovakia, Portugal, Sweden, Romania, Italy and Spain.⁶¹ When it comes to those not in education, employment or training (NEETs), rates are disproportionately higher for young women in Romania (25.4%), while in the Western Balkans, countries range from 15.9% in Serbia to 37.4% in Kosovo.⁶² Long-term unemployment affects almost two-thirds of unemployed youth in North Macedonia, Bosnia and Herzegovina, and Kosovo, and two-thirds of unemployed young women in Montenegro.⁶³ Young people are over-represented in precarious work, such as unpaid or low-paying internships, where over 50% take on at least two internships,⁶⁴ while young people make up 55% of platform workers, many of whom are

disproportionately young migrants or young people of colour. Young people are also fighting to earn a living wage. In 2022, more than one-third (37%) of young people aged 18-24 were in low hourly pay, which was more than double the rate among workers aged 25-64 (15%).⁶⁵

When it comes to accessing social protection such as unemployment benefits, discriminatory criteria prevents young people from being fully supported by these systems, often due to their lack of previous employment and/or their age. As such, they should be eligible for minimum income schemes. However, in practice they are excluded from these schemes in countries where there are minimum age requirements, or they receive reduced support simply because of their age.

Finding quality employment therefore empowers a young person to have a decent standard of living, being able to afford basic needs such as food, accommodation and utilities, but also provide an opportunity for personal fulfilment, meaning and self-realisation; each aspect in themselves face additional challenges that are compounded with the current polycrisis. Young people transitioning from education to finding a job in the open market face a number of challenges. In-line with this, this right should therefore consider:

- the right to fair pay for all forms of work, including internships, and removing any age-discriminatory criteria (i.e. removing youth minimum wages);
- the right to social security protection for all, removing any age-discriminatory criteria;
- the right to recognition of skills and work experience, including non-formal education and volunteer experience;
- the right to a safe working environment, free from discrimination, with set working hours in-line with labour law, the provision of an employment contract, paid leave etc.;

61 Eurostat via *Directorate General for Employment, Social Affairs & Inclusion*.

62 Eurostat, *Young people neither in employment nor in education and training by sex (NEET)*, last updated 14 December 2023; Regional Cooperation Council, *Study on Youth Employment in the Western Balkans*, 2021.

63 Regional Cooperation Council, *Study on Youth Employment in the Western Balkans*, 2021.

64 European Youth Forum, *Our response to the recent Eurobarometer on traineeships*, 2023.

65 Resolution Foundation, *Narrowing the youth gap: Exploring the impact of changes to the minimum wage on the incidence of low pay among young people*, December 2023.

- the right to freedom of association and collective bargaining.

Right to an adequate standard of living

When it comes to social and economic inequalities, in the EU region alone, 1 in 4 young people (17.1 million) are at risk of living in poverty and/or social exclusion; with rates being higher for young women, LGBTQIA+ youth, and young people with disabilities.⁶⁶ When it comes to affordable housing, in 2020, 40.8% of young people (aged 15-29 years) at-risk-of-poverty in the EU spent more than 40% of their income on housing, an overcost burden that was almost ten times the rate for the population of the same age who were not at-risk-of-poverty (4.1%).⁶⁷ With regards to experiences of homelessness, in most European countries, young people between 18 and 29 years old represent 20 to 30% of all homeless people.⁶⁸ Of this number, 30-40% are LGBTQIA+ youth, with one in five experiencing homelessness, and rates rising to 1 in 3 for transgender youth.⁶⁹ This right should therefore consider:

- the right to freedom from poverty;
- the right to freedom from discrimination, including on the grounds of socioeconomic background;
- the right to access affordable and decent housing;
- the right to life, including non-discrimination, health, water and sanitation, security of the person and freedom from cruel, degrading and inhuman treatment;
- freedom from discrimination of any kind, including on the basis of age, gender, social orientation, gender identity and expression, socioeconomic background, or any other status.

IV. Recommendations

All young people, irrespective of their background, must be able to live a dignified, safe and fulfilling life. As such, adequate conditions need to be in place to allow young people to thrive and live as active rights-holders. To guarantee this across the globe, young people's rights need to be universally recognised under international human rights law. We therefore propose the following recommendations.

We call on UN Member States to:

1. Adopt a UN General Assembly resolution establishing a UN Convention on the Rights of Young People with an accompanying monitoring mechanism that ensures the complete recognition, protection, promotion and implementation of young people's rights.
 - a. The negotiation of the Convention - via an Ad Hoc Committee or Working Group of the General Assembly for example - should include meaningful participatory processes with young people and youth organisations in order to shape the text.
2. Adopt a Human Rights Council resolution that sets up a UN Special Procedure on the Rights of Young People (i.e. a Working Group of Experts on the Human Rights of Young People, an Independent Expert or Special Rapporteur on the Human Rights of Young People) to assess the extent in which the international legal framework currently upholds young people's rights and the feasibility for greater legal protections.
3. Promote youth rights and meaningful youth participation processes across existing UN human rights mechanisms' review processes, including as core obligations that should be considered by mandate-holders.

We call on UN Member States and UN agencies to:

4. Strengthen mainstreaming efforts of young people's rights across all three pillars of the UN

⁶⁶ Eurostat, *Young people - social inclusion*, data extracted in March 2022.

⁶⁷ Eurostat, *Young people - housing conditions*, May 2023.

⁶⁸ Council of Europe, Youth Jeunesse, FEANTSA, ILGA Europe, True Colors United, *Building Bridges: How the LGBTIQ & Homeless Sector can Work Together*, Budapest, November 2019.

⁶⁹ FEANTSA, *LGBTIQ+ youth homelessness and housing exclusion in Europe*, Conference notes, 30 November 2023.

(human rights, peace and security, and development). This should include ensuring that youth rights are accounted for within all mandates, and that meaningful youth participatory spaces are established in all processes, in coordination with the UN Youth Office and the UN Office of the High Commissioner on Human Rights.

5. Improve young people's and youth-led organisations' access to the UN's human rights mechanisms, including independent and safe access to the UN Treaty Bodies, Universal Periodic Review and Special Procedures, through increased funding, capacity building and safeguarding, when needed.
6. Build the capacity of civil society, including youth and youth-led organisations, to apply a rights-based approach to their work and identify how youth rights can be better promoted and protected at all levels.
7. Strengthen coherency and synchronicity between all youth-specific outcomes adopted at the UN Human Rights Council, General Assembly and Security Council, as well as climate procedures including Voluntary National Reviews and the UN Climate Change Conference, as a means of setting a common global standard for young people's rights.

We call on UN Treaty Bodies and UN Special Procedure mandate-holders, with the support of the UN Youth Office and the UN Office of the High Commissioner on Human Rights, to:

8. Consistently apply a rights-based approach in their work and ensure recommendations account for young people when assessing the human rights situation in a country, or when looking at a specific thematic, and in collaboration with young people and youth-led organisations.
9. Strengthen youth rights across existing mechanisms, such as through further elaboration of the relationship between international human rights law and youth rights. This could be defined, for example, through (joint) General Comments by the Committee on Civil and Political Rights, the Committee on Economic, Social and Cultural Rights, and/or the Committee on the Rights of the Child.

10. Develop policy guidance on youth rights mainstreaming to prevent any conflation or derogation, and to further complement international human rights law, the Common Agenda, and the Sustainable Development Goals.



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